REMARKS

The Examiner is thanked for the courtesy of the interview of November 6, 2007. As discussed, reconsideration and allowance of the present application are respectfully requested for the following reasons:

Claims 31 and 37 are the only independent claims in this application. These claims stand rejected as being obvious in view of the combination of Yonemitsu (U.S. Pat. 5,461,420) and Hoogenboom (U.S. Pat. 5,517,250) and Schiefer (U.S. Pat. 6,177,922). Claim 31 is directed to an encoding system and claim 37 is directed to the encoding method performed by that system. For convenience, claim 31 is discussed herein; and it will be appreciated that this discussion is equally applicable to claim 37.

Claim 31 calls for counting fields in the input video data. Yonemitsu has been cited for this feature, particularly Yonemitsu's 2-3 pulldown circuit 102, which is described at col. 6, lines 15-34. But there is no description of any counting, much less field counting, at this or any other portion of Yonemitsu.

Claim 31 also calls for encoding means to generate picture order information, which includes a presentation time stamp count, based on the counted fields. Hoogenboom is relied upon for providing DTS without re-accessing the PES header. But, Hoogenboom discusses a *decoder*, not an **encoder**. Also, Hoogenboom discusses only DTS, **not PTS**. Hoogenboom recovers DTS, he **does not generate a time stamp based on the field count**. Hoogenboom recovers, i.e. he *decodes*, picture order, he does not generate picture order information in an **encoder**.

Claim 31 additionally states that the presentation time stamp count generated by the encoding means corresponds to the count of the counting means, i.e., the PTS corresponds to the

field count. Col. 6, lines 30-34 and col. 7, lines 6-14 of Hoogenboom were relied upon for mentioning PTS and DTS. But, since Hoogenboom is directed to a *decoder*, he simply *recovers DTS and PTS from packet headers*. He **does not count fields**. He does not generate PTS **as a result of the field count**. There is no suggestion of how the PTS that appears in the PES header is generated. Presumably the PTS is generated in the conventional manner heretofore used in MPEG encoding (see, for example, col. 3, lines 10-12 of Hoogenboom).

Schiefer was cited for extracting the vertical and horizontal start positions of an active video area and, correctly, was not relied upon for any suggestion of counting fields to generate a presentation time stamp count.

Therefore, since claim 31 includes limitations not suggested by the cited prior art, the withdrawal of the rejection of this claim, as well as the rejection of claims 32, 33, 35 and 36 dependent on claim 31, are respectfully requested.

Claim 37 includes substantially the same limitations found in claim 31 regarding counting fields and generating a presentation time stamp count corresponding to the field count. Accordingly, the withdrawal of the rejection of claim 37 for those reasons discussed above is respectfully requested.
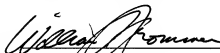
Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our

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Respectfully submitted,

FROMMER, LAWRENCE & HAUG LLP
Attorneys for Applicants

By: _____
William S. Frommer
Reg. No. 25,506
(212) 588-0800